

\*\*\* NOT FOR PUBLICATION \*\*\*

NO. 26333

IN THE SUPREME COURT OF THE STATE OF HAWAII

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ROBINSON FAMILY PARTNERS, a Hawaii general partnership,  
Plaintiff-Appellee

vs.

JOSEPH PUNILEI MANINI, SR.; DOES 1-100, Defendant-Appellant

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APPEAL FROM THE FIFTH CIRCUIT COURT  
(CIV. NO. 03-1-0150)

ORDER DISMISSING APPEAL

(By: Moon, C.J., Levinson, Nakayama, Acoba, and Duffy, JJ.)

Upon review of the record, it appears that we do not have jurisdiction over Defendant-Appellant Joseph Punilei Manini, Sr.'s (Appellant Manini), appeal from the Honorable George M. Masuoka's December 17, 2003 "Order Granting Preliminary Injunction" in Civil No. 03-1-0150. The December 17, 2003 order is neither an appealable final order under HRS § 641-1(a) 1993 nor a certified interlocutory order under HRS § 641-1(b) (1993). Furthermore, the December 17, 2003 order does not qualify as an appealable final order under the Forgay doctrine or the collateral order doctrine. See Ciesla v. Reddish, 78 Hawai'i 18, 20, 889 P.2d 702, 704 (1995) (regarding the Forgay doctrine); Abrams v. Cades, Schutte, Fleming & Wright, 88 Hawai'i 319, 321-22, 966 P.2d 631, 633-34 (1998) (regarding the collateral order doctrine). Therefore, this appeal is premature and we lack

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appellate jurisdiction. Accordingly,

IT IS HEREBY ORDERED that this appeal is dismissed for lack of appellate jurisdiction.

DATED: Honolulu, Hawai'i, April 7, 2004.